

Board of Mayor and Aldermen
Regular Meeting, Nolensville Town Hall
Thursday, September 2, 2004, 7:00 p.m.

Mayor Charles Knapper opened the meeting at 7:05 p.m. Members present were Mayor Knapper, Aldermen Tommy Dugger, Larry Felts, and Frank Wilson. Alderman Gail Phillips was absent. Counsel Robert Notestine, Police Chief Jeff Goforth and Recorder Cindy Lancaster. There were 16 citizens present.

Alderman Dugger led the pledge and prayer.

Guest speaker Daniel Spann with Fischbach Transportation was asked to speak to the crowd about alternatives in regards to the Bent Creek Development. He stated that the plan has three issues that consist of Clovercroft Road, Sam Donald Road and a connection and/or cul-de-sac for Sam Donald and Clovercroft. He noted that the map he was using was an overlay that is a design element.

Alderman Felts stated that he still had concerns with the Sam Donald cul-de-sac and the Ebenezer Church. He noted that he thought this had previously been discussed to make Clovercroft a one-way street.

Alderman Wilson stated that from Clovercroft/King Street to Nolensville Road should be a two way street and make a one way on Clovercroft going west only.

Mr. Gardner, Planning Commission Member, noted that this map was not correct. He noted the cemetery road is missing.

Alderman Dugger noted that the map has an alternate road that shows a two-way road, he asked if this was their recommendation. Daniel stated yes that is their recommendation.

Citizens Comments:

Planning Commission Chair Willis Wells stated that he was pleased to receive a thank-you for the Planning Commission's efforts.

Alderman Dugger made a motion to approve the minutes from August 5 and 15, 2004, Alderman Felts seconded. It was noted that a typographical error was in the citizen's comment section. It should be OSD versus OSP. These minutes were approved unanimously.

Alderman Felts made a motion to approve the treasurer's report, Alderman Wilson seconded. Recorder Lancaster noted that the cash on hand for the General Fund was \$509,591.60, with cash disbursements being \$105,000. It was noted that cash disbursements were excessive due to the annual police car payments. A breakdown of the disbursements were distributed to the board. The treasurer's report was unanimously approved.

Mr. Willis Wells Planning Commission Chairman reported the following:

- Alderman Felts had expressed concern about the Waggoner Property and the lack of the town's involvement.
- Phase I of Bent Creek was approved.
- Discussion of the covenants.
- Lot 43 in Bent Creek will have commercial building.
- Two-Way Car Wash was approved with several conditions.
- Zoning Ordinance was discussed with additions and deletions.
- Design Guidelines were deferred.
- Monthly bond report was discussed.

Betty Friedlander reported for the Historic Commission:

- The commission met last week to review a sign permit.

Chief Presley Hughes reported for the Nolensville Volunteer Fire Department.

- Two people completed Fire Fighter School.
- Training Officer received certification.
- Fire Prevention week will be October 3 – 9.
- A county-wide Arson Team is being formed.
- Have not heard from FEMA grant.

Mayor Knapper reported for the Chamber of Commerce.

- No report this month.

Rich Woodroof, Town Engineer/Codes Official was not in attendance, although submitted a written report for the Codes Department.

Chief Jeff Goforth reported for the Police Department.

- Stated a written report had been submitted to the board and asked if any member had questions.
- Noted that both new cars are in service.

Lonnie Bowden, Director of Public Works was not in attendance, although submitted a written report for his department.

Mayor Knapper noted that the city hall committee is reviewing a site. This site is part of Ben Green's property. Ms. Green said that she would be getting back to the Mayor by the end of the month.

Mayor Knappers report:

The staff has worked hard on the survey and the tabulation has been completed. A Nolensville resident contacted the Mayor and stated that he is with MTSU and has a PHD in marketing and surveys. He offered the town assistance in conducting a phone survey. Mayor Knapper responded that this would be good as long as there is no cost to the town.

Mayor Knapper noted that he has received several complaints in regards to the dangerous wrecks on Nolensville Road and the intersection at Autumn Oaks subdivision. Mayor Knapper has been told that this road will be widened to four lanes eventually.

Mayor Knapper has met with developers of the Waggoner property and we will await resolution to the annexation lawsuit.

Previously a required MS4 committee had been formed, although due to pending litigation this was delayed. Mayor Knapper stated that he is requesting the Board of Mayor and Aldermen to be this committee until further notice.

Counsel Notestine stated that he has been in negotiation with the pending lawsuits and one is in the process of being resolved. He noted that communication has assisted in resolving the majority of the issues.

Mr. Notestine further noted that currently there is a lawsuit in regards to traffic court. He noted the plaintiff in this case is Mr. Barrett and Ms. Cheatham. Mr. Herbison is their lawyer and he is disputing the court cost.

Counsel stated that Mr. King's case will be argued in Supreme Court in the near future. Mayor Knapper stated that the town has spent in excess of \$10,000 on these cases.

Mayor Knapper asked the board to approve a full-time position for the Court Clerk. A wage report was distributed and the Mayor requested \$22,000 plus benefits. Alderman Wilson made a motion to approve this position, Alderman Felts seconded. Alderman Dugger asked about employee insurance and payment. It was noted that the town paid for employee's insurance, but employee must pay for any family coverage. This position was unanimously approved.

Mayor Knapper noted that a wage report had been distributed to the board that indicated various cities and town planner wages. He noted that there is going to be increased development throughout the town and a full-time planner is needed. Mayor Knapper made a motion to hire a planner for \$30,000 (for total benefit and salary package), Alderman Wilson seconded. Alderman Dugger asked how many hours does Derek, the building inspector, work per week. Mayor Knapper stated that he works approximately 10 hours per week. The planner position was approved unanimously.

Mayor Knapper noted that last month County Mayor Rogers Anderson and County Commissioner Houston Naron requested a tax reallocation. Mayor Knapper made a

motion to pass a Resolution to allow for a reallocation of local option sales tax as requested by Williamson County. Alderman Wilson seconded. Alderman Felts stated that due to the town's current financial status and the previous request by the Mayor to increase the number of town employees, he was not in favor of reallocation. Alderman Dugger stated that a "time limit" would have to be implemented if he voted for this resolution. He further noted that this is not what the county had requested. Alderman Wilson stated that he understands that schools are in need of funding, but the money is not there. He noted that after reviewing the Sunset Road requirements in regards to the possibly producing up to \$500,000 for road improvements, this reallocation will not be feasible for the town. The vote was then taken with four votes against this resolution.

Second reading of Ordinance #04-12, an ordinance to amend zoning ordinance #04-09. Counsel Notestine noted that this ordinance is outlining some provisions in regards to signs. He noted it addresses some OSD's and floodways. Mayor Knapper made a motion to pass Ordinance #04-12 on second reading, Alderman Felts seconded. Counsel Notestine noted that the language in *Section 3* states a 21-day waiting period. This waiting period is not necessary.

There was extensive discussion in regards to the sign recommendation by the Planning Commission. Mayor Knapper made a motion that this sentence should read, "This ordinance shall take affect immediately from the date of its final passage.", in addition to removing the recommended change to Section 1.10.3. Alderman Dugger seconded and this passed unanimously. The vote for passage of Ordinance #04-12 passed as amended unanimously.

First reading of Ordinance #04-13, an ordinance to amend zoning ordinance #04-09. Mayor Knapper went over recommened changes that were approved by the Planning Commission. Alderman Dugger asked why sections 1.6.0 and 1.7.0 were reserved? Counsel stated that this is common practice to reserve sections to be used at a later date. Alderman Dugger asked about specifics in regards to Section 1.1.0. He asked for interpretation from Counsel. He gave an example if he were to improve his home – would a site plan have to be provided? It was noted by the Mayor that a professional "architectural" drawing did not have to be submitted, although a drawing outlining the location and footage of the improvement should be reviewed by staff. Alderman Felts made a motion to approve first reading of Ordinance #04-13, Mayor Knapper seconded and this passed unanimously.

First reading of Ordinance #04-14, an ordinance to amend Chapter 2, Section 5-206 of the Nolensville Municipal Code regarding Adequate Facilities Tax. Counsel Notestine stated that this ordinance would increase the tax to the maximum of \$1.00 residential and \$2.00 non-residential. Mayor Knapper noted that the county had imposed a traffic impact fee to absorb the impact of the traffic on Sunset Road. This fee is approximately \$1,270 per home. Nolensville is merely trying to offset the infrastructure cost to the town. Alderman Dugger made a motion to pass this ordinance on first reading, Alderman Felts seconded and this passed unanimously.

Alderman Dugger stated that for approximately five or six months Rolling Hills Drive paving has been discussed. Counsel Notestine stated that a letter was sent giving a deadline, due to not having a copy Counsel did not recall the deadline date.

Alderman Dugger noted that there is grass growing in between the curb and pavement at various locations. He noted that eventually this will ruin the pavement. He would like to see public works work on this project the next time there is a slow point in that department.

Alderman Dugger asked if the inspector signs-off on the card attached to the building location? It was stated that the inspector normally signs off on the cards. Alderman Dugger stated that this is not being done.

Alderman Dugger made a motion to adjourn, Mayor Knapper seconded, this passed unanimously. The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Approved,

Cindy Lancaster
Town Recorder

Charles F. Knapper
Mayor